

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office -AUG 08 1990- NEW PRIORITY DATE: AUG 22 1990Returned to applicant for correction AUG 27 1990Corrected application filed _____ Map filed SEP 11 1990The applicant CALIENTE PUBLIC UTILITIES

P.O. Box 158

of

Caliente

Street and No. or P.O. Box No.

City or Town

Nevada 89008

State and Zip Code No.

hereby make ^S application for permission to change the

Point of Diversion and Place of Use and Manner of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 40872

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 6.0 CFS
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Commercial and Domestic Uses
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Industrial
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point Existing well owned by Caliente Public Utilities under Permit No. 46941
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
located within NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T.4S., R.67E., MDM; SW Corner of said Section 5, bears S 27°40'29" W., 2,960.81 feet from the POINT OF DIVERSION.
- The existing permitted point of diversion is located within NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T.4S., R.67E., MDM; SE Corner of said Section 5, bears S 64° 50' E, 3,995.70 feet from existing POINT OF DIVERSION.
If point of diversion is not changed, do not answer.
- Proposed place of use is to include the current City of Caliente boundaries. A portion of SW $\frac{1}{4}$ of Section 5, T.4S., R.67E., MDM, and portions of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and Section 7, T.4S., R.67E., MDM., and portions of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Section 8, T.4S., R.67E., MDM., all in Lincoln County, Nevada
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use is a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all within Section 5, T.4S., R.67E., MDM., Lincoln County, Nevada
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) The existing water delivery system remains unchanged.
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$25,000
- Estimated time required to construct works Existing 14" well is complete.

14. Estimated time required to complete the application of water to beneficial use. 5 years.

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Deed transferring ownership of this permit from Aqua Caliente to Caliente Public Utilities will be provided subsequent to this application. See affidavit filed under 46941 dated 6-20-86 original is under 48455.

By s/Robert O. Anderson
Robert O. Anderson, P.E. (Agent)
P.O. Box 2294, Minden, Nevada 89423

Compared bc/ bc ab/se

Protested 2/15/91 by: U.S. Dep. of the Interior, National Park Service

Pro. overruled 6/30/93

Ruling No. 4012

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters from an underground (geothermal) source as heretofore granted under Permit 40872 is issued subject to the terms and conditions imposed in said Permit 40872 and with the understanding that no other rights on the source will be affected by the change proposed herein.

It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

The production and injection well are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used geothermal fluids are to be returned to the source via the injection well. The issuance of this permit does not waive the requirements that the permit holder obtain (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed a total of 447 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 21, 1994

Proof of completion of work shall be filed before May 21, 1994

Application of water to beneficial use shall be made on or before April 21, 1995

Proof of the application of water to beneficial use shall be filed on or before May 21, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed _____

office, this 21st day of July,

Cultural map filed _____

A.D. 19 93

Certificate No. _____ Issued _____

CANCELLED AUG 12 1994 BECAUSE OF FAILURE

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

R. Michael Turnipseed, P.E. STATE ENGINEER

Cover Rescinded 4-28-95

(PERMIT TERMS CONTINUED)

other permits from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the State Engineer's Ruling No. 4012, dated June 30, 1993.

